



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-1370 FAX (603) 271-1381



August 6, 2002

Mr. John Bilsky  
Facility Engineer  
Benchmark Electronics, Inc.  
65 River Road  
Hudson, NH 03051

**CERTIFIED MAIL (7099 3400 0003 0687 2257)**  
**RETURN-RECEIPT REQUESTED**

**LETTER OF DEFICIENCY**  
ARD No. 2002-003

Dear Mr. Bilsky:

On March 15, 2001, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at Benchmark Electronics Inc. ("Benchmark") in Hudson, NH. The purpose of the inspection was to determine Benchmark's compliance status with the NH Administrative Rules Env-A 100 *et seq.* and Temporary Permit FP-T-0028 ("the Permit").

As a result of the inspection and file review, this Letter of Deficiency ("LOD") is being sent to identify the following deficiencies:

1. Env-A 608.03(a)(1) requires the owner or operator of any stationary source or device that has been issued a temporary permit to submit an application for a state permit to operate 90 days prior to the expiration of the temporary permit. The Permit expired on May 31, 2000. DES received a permit application from Benchmark on February 8, 2002.
2. Condition VII Emission-Based Fee Requirements of the Permit and Env-A 704.01 require Benchmark to pay emission-based fees annually for all permitted devices. In accordance with Env-A 704.04, fees for each calendar year are due by October 15<sup>th</sup> of the following year. On February 20, 2001, Benchmark paid \$55.17 of the \$1,437.77 owed for calendar year 1999. DES received the outstanding balance of \$1,379.25 owed for calendar year 1999 on April 24, 2001. Emission fees for calendar year 2000 emissions were due by October 15, 2001. On October 24, 2001, DES received Benchmark's 2000 emissions payment of \$997.35.
3. Condition VIII, B. Recordkeeping and Reporting Requirements of the Permit and Env-A 907.01 require Benchmark to keep a twelve-month running total of facility-wide VOC and HAP emissions and to submit an annual emission report to DES. The report must include the actual emissions of the process operations and the methods used in calculating such emissions and all of the information in accordance with Env-A 903.02. The annual emissions report must be submitted to DES on or before April 15 of the following year. At the time of the inspection, Benchmark did not have these records, and had not submitted any emission reports for calendar years 1999 and 2000. DES has since received these reports. Benchmark has not submitted an emission report for calendar year 2001, which was due on April 15, 2002.
4. Condition III Operating Limitations of the Permit specifies that the diesel fuel used in the Caterpillar Emergency Generator shall have a maximum sulfur content of 0.4% by weight. Benchmark maintains records of the amount of diesel fuel used in its emergency generator, but does not have records of the sulfur content by weight of the fuel. Benchmark burns less than 100 gallons of diesel fuel per year. As this fuel is purchased at a local filling station, DES believes that the sulfur content of this fuel does not exceed 0.05% by weight.

Although many of the deficiencies have been addressed, DES believes that the remaining deficiency can be resolved by Benchmark taking the following actions:

5. Within 30 days of receipt of this LOD, submit to DES the annual emission reports required by Env-A 907.01, General Reporting Requirements for calendar year 2001, which was due on April 15, 2002. The reports shall include the actual emissions of the process operations and the methods used in calculating such emissions in accordance with Env-A 903.02.

In addition to the above requested action, DES wants to remind Benchmark that payment for calendar year 2001 emissions will be due by October 15, 2002.

In the event compliance is not achieved within the time periods indicated, DES may initiate formal action against Benchmark including issuing an order requiring the deficiencies to be corrected, and/or referring this matter to the NH Department of Justice for imposition of civil and/or criminal penalties. DES reserves the right to pursue administrative fines for the violations noted above.

Please address all information to Joseph Ritz, at the following address:

NHDES Air Resources Division  
Compliance Bureau  
6 Hazen Drive  
P.O. Box 95  
Concord, NH 03302-0095

Please be advised that DES will continue to monitor Benchmark's compliance status and that this letter does not provide relief against any other existing or future violations. It is important that Benchmark be aware of all the requirements stipulated in its Permit. Please feel free to contact DES should you have any questions regarding compliance with the NH Code of Administrative Rules Env-A. 100 *et seq.* and the requirements of the Permit. A current copy of the Air Resources Division rules can be obtained from the DES website at [www.des.state.nh.us/ard/ardrules.htm](http://www.des.state.nh.us/ard/ardrules.htm), or by contacting the Public Information Center at (603) 271-2975. If you have any questions regarding this matter, or require further information please contact Joseph Ritz at (603) 271-1391 or Mary Ruel at (603) 271-6795.

Sincerely,



Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

PGM/jwr

cc: R. Scott, NHDES-ARD  
G. Rule, DES Legal Unit  
R. Kurowski, EPA Region I  
E. L. Madison, Chairman, Board of Selectmen, Town of Hudson  
AFS # 3301191108